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8 *Attorneys for Plaintiff/Counter-defendant The Bank of New York Mellon fka The Bank of New
9 York, as trustee for the Certificateholders of CWABS Inc., Asset-Backed Certificates, Series
10 2007-10*

11 **UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF NEVADA**

13 THE BANK OF NEW YORK MELLON FKA
14 THE BANK OF NEW YORK, AS TRUSTEE
15 FOR THE CERTIFICATEHOLDERS OF
16 CWABS INC., ASSET-BACKED
17 CERTIFICATES, SERIES 2007-10, a national
18 bank,

19 Plaintiff,

20 vs.

21 MONACO LANDSCAPE MAINTENANCE
22 ASSOCIATION, INC., a Nevada corporation;
23 SATICOY BAY LLC, SERIES 8326
24 STERLING HARBOR, a Nevada limited
liability company,

25 ECF No. 53

26 Defendants.

27 SATICOY BAY LLC, SERIES 8326
28 STERLING HARBOR,

29 Counterclaimant,

30 vs.

31 THE BANK OF NEW YORK MELLON FKA
32 THE BANK OF NEW YORK, AS TRUSTEE
33 FOR THE CERTIFICATEHOLDERS OF
34 CWABS INC., ASSET-BACKED
35 CERTIFICATES, SERIES 2007-10,

36 Counter-defendant.

37 **CASE NO.: 2:17-CV-02061-JAD-DJA**

38 **STIPULATION AND ORDER OF
39 DISMISSAL**

1 Plaintiff/Counterdefendant THE BANK OF NEW YORK MELLON FKA THE BANK
2 OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC.,
3 ASSET-BACKED CERTIFICATES, SERIES 2007-10 (hereinafter “BNYM” or “Plaintiff”), by
4 and through its attorney of record J. Stephen Dolembo, Esq. of ZBS LAW, LLP, and
5 Defendant/Counterclaimant SATICOY BAY LLC, SERIES 8326 STERLING HARBOR
6 (“SATICOY BAY”), by and through its attorneys of record, Chet A. Glover, Esq. of Roger P.
7 Croteau & Associates, hereby stipulate and agree as follows:

8 IT IS HEREBY STIPULATED AND AGREED that BNYM is the beneficiary of record
9 under a Deed of Trust recorded against real property located at 8326 Sterling Harbor Court, Las
10 Vegas Nevada, 89117 (APN No. 163-09-313-035) (the “Property”) in the Clark County
11 Recorder’s Office on May 21, 2007 (“Official Records”) as Book and Instrument No. 20070521-
12 0003176 (the “Deed of Trust”), securing a loan in the original amount of \$344,000.00.

13 IT IS HEREBY STIPULATED AND AGREED that SATICOY BAY took title to the
14 Property by way of a non-judicial foreclosure sale conducted by the Monaco Landscape
15 Maintenance Association, Inc. on February 5, 2015, evidenced by a foreclosure deed recorded in
16 the Official Records on February 12, 2015 as Book and Instrument No. 20150212-0002523.

17 IT IS HEREBY STIPULATED AND AGREED that the Deed of Trust remains a valid
18 and enforceable lien on the Property that may be foreclosed upon pursuant to Nevada law.

19 IT IS HEREBY STIPULATED AND AGREED that as a result of the above, SATICOY
20 BAY will in no way interfere with BNYM’s foreclosure under the Deed of Trust, including but
21 not limited to, agreeing not to seek a restraining order or injunction to prevent or BNYM’s
22 foreclosure or seek any other judicial or non-judicial relief to prevent or delay BNYM’s
23 foreclosure.

24 IT IS HEREBY STIPULATED AND AGREED that Defendant SATICOY BAY is
25 hereby dismissed WITH PREJUDICE, each party to bear its own fees and costs.

26 IT IS HEREBY STIPULATED AND AGREED that Defendant SATICOY BAY’s
27 counterclaims are hereby dismissed WITH PREJUDICE, each party to bear its own fees and
28 costs.

1 IT IS HEREBY STIPULATED AND AGREED that Defendants other than SATICOY
 2 BAY have been previously dismissed from this action and all claims herein have been fully and
 3 finally resolved.

4 IT IS SO STIPULATED AND AGREED.

5 Dated this 4th day of September, 2020.

ZBS LAW, LLP	ROGER P. CROTEAU & ASSOCIATES
<p><u>/s/J. Stephen Dolembo, Esq.</u> 9 J. Stephen Dolembo, Esq. 10 Nevada Bar No. 9795 11 9435 W. Russell Road, Suite 120 12 Las Vegas, NV 89148 13 <i>Attorneys for Plaintiff The Bank of New York Mellon fka The Bank of New York, as trustee for the Certificateholders of CWABS Inc., Asset-Backed Certificates, Series 2007-10</i></p>	<p><u>/s/Chet A. Glover, Esq.</u> Chet A. Glover, Esq. Nevada Bar No. 10054 2810 W. Charleston Blvd, Suite H-75 Las Vegas, NV 89102 <i>Attorneys for Defendant Saticoy Bay LLC, Series 8326 Sterling Harbor</i></p>

16
 17
 18 Case No.: 2:17-cv-02061-JAD-DJA

19 **ORDER OF DISMISSAL**

20 On this day the court considered the joint stipulation of dismissal submitted by Plaintiff
 21 The Bank of New York Mellon fka The Bank of New York, as trustee for the Certificateholders
 22 of CWABS Inc., Asset-Backed Certificates, Series 2007-10 (“BNYM”), and Defendant Saticoy
 23 Bay LLC, Series 8326 Sterling Harbor and found that the parties' request has merit and should
 24 be **GRANTED**. It is therefore,

25 **ORDERED, ADJUDGED, and DECREED** all claims asserted by the parties, or that
 26 could have been asserted by the parties in this case are hereby dismissed with prejudice.

27 **IT IS FURTHER ORDERED** that all costs are to be borne by the party incurring same.

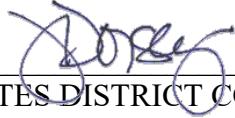
1 **IT IS FURTHER ORDERED** that the Deed of Trust recorded against real property
2 located at 8326 Sterling Harbor Court, Las Vegas Nevada, 89117 (APN No. 163-09-313-035)
3 (the “Property”) in the Clark County Recorder’s Office on May 21, 2007 (“Official Records”) as
4 Book and Instrument No. 20070521-0003176 (the “Deed of Trust”), securing a loan in the
5 original amount of \$344,000.00 remains a valid and enforceable lien on the Property.

6 **IT IS FURTHER ORDERED** that BNYM may proceed with foreclosure under the
7 Deed of Trust pursuant to Nevada law.

8 **IT IS FURTHER ORDERED** that SATICOY BAY will in no way interfere with
9 BNYM’s foreclosure under the Deed of Trust, including but not limited to, agreeing not to seek a
10 restraining order or injunction to prevent or BNYM’s foreclosure or seek any other judicial or
11 non-judicial relief to prevent or delay BNYM’s foreclosure.

12 **The Clerk of Court is directed to CLOSE THIS CASE.**

13
14 Dated this 4th day of September, 2020.

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16 
17 UNITED STATES DISTRICT COURT JUDGE

18 Respectfully submitted:

19 ZBS LAW, LLP

20 /s/J. Stephen Dolembo, Esq.

21 J. Stephen Dolembo, Esq.
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24 Las Vegas, Nevada 89148
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26 Attorneys for Plaintiff *The Bank of New*
27 *York Mellon fka The Bank of New York,*
28 *as trustee for the Certificateholders of*
 CWABS Inc., Asset-Backed Certificates,
 Series 2007-10